

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

In re: MICHAEL WHITMAN DECKER DEBTOR(S)	CASE NO. 17-50297 CHAPTER 7
KILMER & ASSOCIATES, CPA, PC PLAINTIFF(S)  v. MICHAEL WHITMAN DECKER W STEHEN SCOTT DEFENDANT(S)	ADVERSARY PROCEEDING NO. 17-05012

**PRE-TRIAL ORDER**

A pre-trial conference, attended by counsel for the parties, was held before the Court by telephone conference call on 9/12/2017. Pursuant thereto, and for good cause shown; it is,

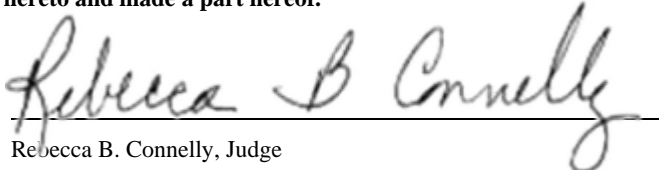
**ORDERED THAT:**

1. Plaintiff's discovery is to be completed by 12/20/2017.
2. Defendant's discovery is to be completed by 12/20/2017.
3. **TRIAL IS SET FOR 2/28/2018, at 10:00 AM at US Courthouse, Courtroom, 116 N Main St, Harrisonburg, VA 22802.**
4. Exhibits and witness list shall be filed with the Court by this date 2/14/2018.
5. Joint Stipulation of Facts and issues to be decided is to be filed by 2/23/2018.
6. All motions by any party are to be filed by .
7. Exhibits not objected to in writing by 2/21/2018 will stand as admitted into evidence, if offered.  
  
List any objections to portions of *de bene esse* depositions by page and by line.
8. All exhibits and the exhibit list are to be filed with the court, by the date shown above, in the manner prescribed in the attached "Exhibit Instructions".
9. Memoranda of Authority, if any, by Plaintiff: Defendant: .
10. Counsel shall hold at least one settlement conference following the discovery deadline and prior to trial of this matter in an attempt to negotiate a settlement of this matter.
11. Final pre-trial conference is to be held on 12/13/2017 at 2:30, PM by telephone conference call. All parties to dial into court conference number.
12. Other: Rule 26 Disclosures by 9/29/2017; Plaintiff to designate expert witnesses by 10/31/2017; Defendant to designate expert witnesses by 12/1/2017.

The schedule set forth above shall control the handling of this case. No variations or adjustments shall be made without prior approval by the Court upon request by written motion. Failure to comply with this order shall result in appropriate sanctions.

**Strict compliance is required to the exhibit instructions attached hereto and made a part hereof.**

Dated: 9/19/2017

  
Rebecca B. Connelly, Judge

Signatures of counsel:

Signatures waived

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF VIRGINIA  
EXHIBIT INSTRUCTIONS**

All exhibits must be filed electronically prior to the hearing in the electronic filing system (ECF).

The Exhibit list must be typewritten, double-spaced, and should briefly describe each exhibit to be introduced at trial. The “admitted” and “marked” columns should be left blank.

Counsel should pre-mark exhibits near the bottom of the exhibit.

If a group of related items, such as checks or photographs, are to be introduced, each individual item must have page numbers.

Plaintiff’s exhibits are to be in numerical order.

Defendant’s exhibits are to be in alphabetical order.

Government exhibits should be marked “Government.”

Joint exhibits should be marked “Joint exhibits.”

If there is more than one Plaintiff or Defendant, the exhibit must identify the party on exhibit.

For exhibits that contain multiple pages, please identify the number of pages within each exhibit. (Example: Defendant Exhibit A - Page 1 of 10)

The marked exhibit shall contain the exhibit number (or letter), the case number [and adversary proceeding number, if applicable] and the date of the trial or hearing.

Example of exhibit format:

Plaintiff's Exhibit #1 07/01/92 Case #92-00001 APN 92-00017A Page 1 of 10
--

**Counsel must bring to court three (3) separate sets of exhibits for court use during the Trial, (one set for the Judge, one for the Law Clerk, and one for the use by witnesses) unless the litigant has obtained permission from the court in advance of the Trial to provide electronic exhibits at the Trial.**